

THE POLITICAL FIELD.

JUDGE HOADLY READY TO RE-ENTER THE CANVASS.

Assembly of the New York Convention, which passed resolutions in favor of the Maryland Republican Party, and in opposition to the Democratic Party, was held at the Hotel Hamilton, New York, on September 27th.

Buffalo, September 27.—The democratic state convention opened under very favorable auspices. The weather is cool and clear. There are no decorations in the hall, excepting a few wreaths of smilax. Delegates took their seats in a very orderly manner, each one being numbered with a ticket to correspond. As Mr. Kelly entered the hall he was cheered by the Tammany and Irving hall delegates in the gallery. The delegates arrived in a body, no preference being shown to anybody on his admittance. The convention organized temporarily, with Alfred C. Chapin, of Kings county, chairman. Committees were appointed, and a recess was taken. The usual contesting delegations from New York city were present, and their claims were referred to the committee on credentials. At the evening session the committee on credentials reported in favor of admitting from New York city 38 members of the county democracy, 24 of the Tammany hall and 16 of the Irving hall, almost without debate, and only a protest from one of the Tammany members. The report was adopted, the previous question having been ordered by a vote of 280 to 93.

The platform restricts the platform adopted at the last state convention which has received the approval of the people as shown by a majority of nearly twenty thousand at the last convention. It especially denounces the proposition that the people should be taxed to raise a surplus fund for the federal government to distribute among the states. The platform says: "We claim with pride and satisfaction that every pledge therein made has been in good faith redeemed, valuable reforms have been wrought, useless offices have been abolished, civil service has been freed from the debasing and injurious influences of partisan manipulations; the freedom and purity of the primaries have been secured, political assessments have been abolished, receivership and abuses have been corrected, the principle of local self-government has been adhered to, the efficiency of the national guard has been increased, taxation for the support of the government has been reduced, the state bureau of labor and statistics has been established, the rights of workmen have been further protected and the injurious control of convict labor has been curtailed. Business methods have been the rule in the management of state affairs. On the record thus made, and to which we will steadfastly adhere, the democratic party asks a renewed award of the confidence of the people. We invite with reason all friends of the improved state administration, irrespective of party, to join with the democrats in preserving and perfecting the reforms in progress, and in extending them to all branches of the state service. We heartily endorse Governor Cleveland's administration. It justifies the great vote which elected him. He has deservedly won the affection of the people by his industry, firmness, intelligence and aggressive honesty. The results make his administration one of the best the state ever had. The resolutions were unanimously adopted.

The convention nominated Isaac H. Maynard for secretary of state by 269 votes, against 178 for William Purcell, late democratic candidate, who was defeated.

WASHINGTON, September 27.—The Evening Star says James G. Blaine has closed for a term of years his magnificent new residence upon which he spent so much time and money, and has only occupied a few months. The lessee is a Chicago merchant named Leiter, who will take possession soon. Blaine and family will remain in Washington this winter. No reason or explanation is published.

PRINCE DECLINES. Boston, September 27.—T. O. Prince, nominated yesterday for lieutenant governor, on the democratic ticket, declined the nomination.

THE MARYLAND REPUBLICANS. Baltimore, September 27.—The republican state convention to-day unanimously nominated H. H. Hallen as candidate for governor, Dr. Washington Smith, controller; R. Stockett Mathews, attorney-general; Mr. Hallen, candidate for governor, is a republican farmer and member elect to the next congress from the fifth district. At the election last fall he carried a large vote, and was elected by a majority over Chapman, democrat, was 536. Two years before Chapman's majority over his republican opponent was 1,780.

THE COLORED COMPLAINT. The Freedman's Bank, Civil Rights and Other Matters. Louisville, September 27.—The national colored convention late last night adopted the following address: The national convention of colored men assembled, respectfully present the following as embracing and presenting their views and sentiments.

1. That we are gratified for and rejoice in the miraculous emancipation that came to our race twenty years ago. The shock of embattled arms was the lullaby of a nation born in a day. We cannot forget the great sacrifice of the women and heroic men who made possible the struggle in which treason and slavery were consigned to a common sepulchre, nor would we be ungrateful of the measure of devotion and patriotism that the white and colored soldiers rendered the nation.

2. That we are not insensible to the fact that the congress of the United States has spread the statute book many laws calculated to make us secure in our rights as citizens, nor would we be forgetful of the magnificent amendments to the constitution intended to render for ever impossible the crime of human slavery.

3. We do not ask for any more class legislation. We have had enough of this. But we do believe that many of the laws intended to secure to us our rights as citizens are nothing more than dead letters. In the southern states, almost without exception, colored people are denied justice in the courts, denied the fruit of their honest labor, defrauded of their political rights at the ballot box, shut out from learning the trades, cheated out of their civil rights by innkeepers and common carrier companies and left by the state to an inadequate opportunity for education and general improvement.

4. We regard the labor question, education and sound moral training, paramount to all other questions. We believe that these questions, especially in the south, are the ones that the plantation, credit and mortgage system should be abolished, so that honest labor should be remunerated, so that the land-holders of the south should recognize that this question is to be solved by encouraging the negroes to industry, to frugality, and to business habits, by assisting them to acquire an interest in the soil by paying them honest wages for honest work, and by making them content and happy in the land of their nativity. The white men and owners of the soil in the

south can settle the question of labor and capital between white and black.

5. We believe in a broad comprehensive system, looking towards the education of young colored girls, so that they may become intelligent and faithful women, and of young colored boys that they may learn trades and become useful men and good citizens. The religious and moral training of the youth of our race should not be neglected. The hope of every people is in an adherence to sound social, logical and ethical principles. The moral element in character is of greater value than wealth or education, and this must be fostered by the family and encouraged by the pulpit.

6. The failure of the freedmen's Savings Bank and Trust company, is the misfortune of our time. It was established to receive the earnings of persons heretofore held in bondage and the descendants of such persons. It was established by the government, and thought to be solved in changing its charter the trustees transcended their authority, and thereby made themselves liable. The government, in appointing the machinery to close the insolvent institution violated the United States statutes in having the claims of colored men. This distinction is carried into the navy as well.

7. The distinction made between white and black troops in the regular army is an American injustice and a disgrace. White and colored men are confined to the cavalry and infantry service, and in the appointment of civilians to the regular army all believe it the duty of the president to consider the claims of colored men. This distinction is carried into the navy as well.

8. It is not our province to dictate the policy of the government, or the action of our fellow citizens in the several states. It is a matter that their services, patriotism and needs should shape.

9. As a race struggling and contending for our political and civil rights, we are not unmindful of the efforts of Ireland to gain her rights, and we extend to our Irish friends our profound sympathy and best wishes.

10. We earnestly desire the abolition of the chain-gang system, and the admission to trade unions of men of our race, and their employment in commercial pursuits.

11. In nearly every state of the union both north and south, our race are not allowed to enter freely into the trades of gain or employment in the higher walks of life. This is unworthy of our institutions and hurtful to the reputation of our country at home and abroad.

After adopting the above address, the convention adjourned and the members dispersed to their homes.

HOADLY'S RECOVERY. He Expresses His Feelings to a Newspaper Man But Will Not Talk Politics.

PHILADELPHIA, Pa., September 27.—Judge Hoadly is convalescing rapidly. He left here last Saturday to fight on the battle ground of Ohio during the last month of the campaign, which is now regarded as of sovereign importance to both parties.

He called at the invalid democratic candidate's rooms at the St. George today. The judge's law partner, Edgar M. Johnson, lay stretched out on a sofa, and during the next hour he related the close guard which he has maintained ever since Hoadly was brought here, almost crippled with pain, a month ago. "I don't like this city," said Hoadly. "This confounded malaria is exhausting slow and insidious. You have no idea how it makes me worry not to be able to be back at work when my opponents are so hard at it. Here I have been some of the time in bed to be sure, but generally sitting up, hardly able to lift my hand. It has been a regular bone breaker with me. When I came I had lost the use of both my arms, but that is nearly gone now. I feel like a man again. I have been sorry not to be able to tell you newspaper gentlemen, but I think that you understood my situation. An old friend from New York, who is a member of the profession, called upon me yesterday, he said nothing to him on the subject of politics."

"I suppose you have kept your correspondence with your leaders at home?"

"Oh, yes, to a certain degree, and what I have been unable to do, Mr. Johnson has done for me. The reports that they send me are very bright. I suppose every party is always sure that it is going to win. Foraker's own county, Highland, is the only one that I go against. That is natural, you know. Judge Bond is a splendid fellow. Far be it from me to say a word against him. I tried my best to keep him from resigning from the bench when he had his breakdown a year or so ago. I wish that I had made a year or a year more, instead of a week. I suppose he has made fifty speeches, while I have hardly made one. I should have liked to have a talk with him."

"Will the local fights in Cincinnati and Cleveland much affect the campaign?"

"Well, I think that it will not affect the state ticket unfavorably. The people do not like the way Governor Foster tries to run things."

"Have you decided when you will go back?"

"Dr. Bartholow tells me that I can speak the first of next week, provided that I do not go near any malarial district. There is to be a big rally at Cleveland Monday, and I have written Colonel Langer, the chairman of our committee, saying that if it is best I will speak at that time. Senator McDonald will address the meeting with me."

HANCOCK'S HEALTH. An Accident Which Put the General's Life in Some Danger.

NEW YORK, September 27.—A couple of weeks ago General Hancock suffered a slight contusion, and was somewhat shaken up by the fall of a small steamer which lurched in a heavy wind and sea. Out of this circumstance has grown various alarming reports concerning the general's condition. To-day Dr. Robert Murray, medical director of General Hancock's staff, was asked by an associated press reporter the state of the general's health. He replied that General Hancock was much better to-day, and that the surgeon attending him says there has been no injury to his knee joint. An abscess is forming above the knee, but no serious result is anticipated, and the general might be said, in fact to be already convalescent.

ALLEGED CONSPIRACY. An Old Lady Placed in an Asylum to Secure Possession of Her Property.

ERIE, Pa., September 25.—In the Erie county almshouse, the asylum of indigent sane and insane, there has lived for some time a retired old lady, Louisa Colgrove, who has all along insisted that she had been placed in confinement by cruel and mercenary relatives who wanted to get possession of her estate. As it had been represented that the old lady's intellect was weak no notice was taken of her pitiful appeals until a Mr. Lewis Beas heard them. He took down her story, visited the places and people named, and being convinced that the old lady was the victim of a hocus conspiracy, he applied for a writ of habeas corpus, and to-day the poorwaller brought her before the court. An investigation brought to light a villainous plot, to obtain the large property owned by the lady and Judge Goldbraith ordered her restoration to liberty. Miss Beas, a niece, it was alleged, was the person who put old Mrs. Colgrove in the poorhouse.

BOYD FOUND GUILTY,

AND GIVEN A LONG TERM IN THE PENITENTIARY.

The End of the Trial of Boyd for the Murder of Louis Rasmussen, the Gypsy Man Followed by a Long and Eventful Career.

Special to The Constitution. NASHVILLE, September 27.—The case of the State vs. W. L. Boyd, charged with the murder of Birdie Patterson, alias Luisa Nicholson, was concluded late last night, and Judge Allen charged the jury by daylight. When court met this morning, the jury sent word that they were ready to report, and the court ordered the prisoner brought in. This caused some delay. At ten, however, the jury came in and returned a verdict of guilty of murder in the second degree, fixing the punishment at thirteen years in the penitentiary. The jury was discharged after which the defense entered a motion for a new trial and an arrest of judgment and asked to have the prisoner's bond fixed. The court fixed the bond at five thousand dollars. Boyd's two sons, with Mr. Samuel Pritchett, a wealthy citizen of Nashville, gave the required bail and Boyd was released after being in jail since July. Next Tuesday was set for the argument of the motion for new trial. The verdict is generally regarded as a compromise between the jurors favoring an acquittal and those for murder in the first degree.

THE MURDER WOMAN. The crime for which Boyd will give the closing years of his life was one more worthy of an insane person than a man of Boyd's reputation. He is an old man and has a long record of crime, but he became entangled in the meshes set by the fair, frail creature who at last suffered death by reason of his jealousy. The people of Atlanta have been kept fully informed as to the details of the crime and the development of the trial. The woman who was killed was for many years a notorious character in Atlanta and figured prominently in the trial of Sam Hill, for the murder of John Simmons several years ago. She was called by the prosecution an assumed name when Boyd met her, and as she was handsome and of fine figure, she easily captivated him, and becoming his mistress, she was supplied with everything that could add to her comfort and pleasure. Boyd seemed to idolize her, but was as jealous as could be. He called her "Birdie," as she was at that time calling under the name of Birdie Patterson.

On the fatal day Boyd and the woman were in their room on the floor. Boyd was under the influence of liquor. It is known that they quarrelled, but the details of what followed cannot be stated as the testimony on that point is purely circumstantial. A pistol shot was heard, and a number of persons rushed to the room. Boyd lay across the bed in a drunken stupor. The woman was in the agonies of death with a bullet in her breast and the still smoking revolver lay on the floor. Boyd was arrested and carried her to the police station. He then sought and found Boyd and carried him to the guardhouse. The woman told him that she was trying to get away from him but after much begging on his part she consented to return to Nashville with him, which she did.

HOW THE KILLING OCCURRED. On the fatal day Boyd and the woman were in their room on the floor. Boyd was under the influence of liquor. It is known that they quarrelled, but the details of what followed cannot be stated as the testimony on that point is purely circumstantial. A pistol shot was heard, and a number of persons rushed to the room. Boyd lay across the bed in a drunken stupor. The woman was in the agonies of death with a bullet in her breast and the still smoking revolver lay on the floor. Boyd was arrested and carried her to the police station. He then sought and found Boyd and carried him to the guardhouse. The woman told him that she was trying to get away from him but after much begging on his part she consented to return to Nashville with him, which she did.

CRIME AND CASUALTY. The Story of a Canadian Prize Fight—Slit in Arm.

OTTAWA, Ont., September 27.—A prize fight between two Frenchmen was arranged to come off about 50 miles from here, but when the priest who officiated at the ceremony drove up and stopped the fight by persuasion and threats of excommunication. A quarrel resulted from a discussion of the priest's interference, and another fight was arranged for next day between a supporter of the priest and one of his critics. The latter fight was not interrupted, and continued twenty five minutes, until one of the combatants was whipped.

ST. LOUIS, September 27.—Colonel Frank Davidson, late of the firm of Marnett, Brown & Co., of this city, and well known in the west and south, suicided yesterday at Van Buren, Arkansas, where he had lately been editing a newspaper. Financial embarrassment is supposed to have been the cause.

CHICAGO, Ill., September 27.—A dispatch from Osakis, Minnesota, says: "Yesterday a steam power machine of Ivey Bros. was threshing grain six miles in the country when the boiler suddenly exploded, killing three men and injuring five others."

NEW ORLEANS, September 27.—The Times Democrat, Opelousas, Louisiana, special says Wm. McNeely was shot dead yesterday by a man named Kane, who had been shot by three men and injured five others.

TOOK IT OUT OF HIS HIDE. A Toronto Man Who Lost \$40,000 on 'Change Follows His Broker.

TORONTO, September 27.—A sensation was produced in broker circles to-day when it became known that Captain Meade and a well-known broker, R. C. Lean, agent for W. Young & Co., of Chicago, had had a terrible fight encounter Saturday in the office of the latter. Meade's business troubles have recently been brought prominently before the public. He had fallen a victim to the coils of the bulls and bears who operated on the Chicago exchange, and it is alleged, he dropped \$40,000 into the maw of the Chicago men. Lean was Meade's agent and confidential adviser, and when the former found he had lost his money, decided to take the worth of it out of him. Accordingly he visited his office with a friend, and telling him he had come to "smash" him, proceeded to fulfill his promise. A terrible fight ensued, in which Lean's knowledge of artful dodging and Meade's military education were called into play. The latter, after trying the flanks, made an attack on his opponent's center, and by a well di-

rected attack on his stomach doubled him. After twenty minutes Lean surrendered and the conqueror marched out with his friends. The police have been notified, and the pugilists will probably figure in the police court.

PARNELL REPORTED SHOT. France and China—The Trouble Brewing Between Them.

LONDON, September 27.—A report is in circulation that Mr. Parnell has been shot, but it needs confirmation. Inquiry is being made as to its correctness. The police of Cork have found five hundred cartridges for Snider rifles, shot-bayonets and a revolver concealed in a yard in Peacock lane.

It is stated that James McDermott, who was recently ordered to be discharged from custody, refused to quit prison, unless police protection is afforded him, as he fears that he will be murdered unless the authorities make provision for his safety.

LONDON, September 27.—Mr. Bradlaugh has addressed a letter to Sir Stafford Northcote, in which he declares he will stand demand his seat in the house of commons on the reassembling of parliament, and charges Sir Stafford Northcote with causing all the mischief that has grown out of the continued violation of his (Mr. Bradlaugh's) rights.

PARIS, September 27.—A majority of the newspapers here deprecate the exhibition on the part of anything resembling open resentment upon the occasion of King Alfonso's arrival here at his majesty's acceptance of the colony, a regiment of German (Chibals, The Temps expresses the opinion that Prince Bismarck intended, by the appointment of King Alfonso to a colony, to prepare a cold reception for the king upon his arrival in France, and urges that the fair conduct when the king enters the city to upset these calculations.

CONSTANTINOPLE, September 27.—The port is preparing to receive the emperor, who is expected to arrive in the city in a state of anarchy, Turkey will exercise her right of suzerainty in that country for the restoration of order.

PARIS, September 27.—A despatch from Hong Kong to Reuters' telegram company, discards the reports of impending troubles in Canton.

PARIS, September 27.—A despatch to the company from Paris says: The reply of China to France's memorandum has been received. Several of the proposals of France have been rejected by China.

GOTTENBURG, September 27.—The Arctic expedition of Professor Nordenskjold has arrived here.

AN EDITOR'S VIEWS. Medill, of the Chicago Tribune, on the Evils Resulting from the Chicago Tribune.

NEW YORK, September 27.—James Medill, publisher of the Chicago Tribune, was a witness to-day before the United States senate sub-committee on education and labor. He said he had been connected with the press since 1848. The chief cause of the impecunious condition of the masses of laborers in this country was to be attributed to their own penitence. The only way to improve their condition was to save. The earnings of the laborer was spent in liquor and tobacco. It has been calculated that the amount annually spent by the laboring population in technical arts could be obtained. In speaking of the railroad question, Medill said some means should be adopted for securing uniformity of rates. The railroads should not be allowed to exercise the power of arbitrarily changing the rates of all the products of the country; both state and federal legislation should be employed to remedy this evil. The capitalization of many railroads was far in excess of the cost of construction of the roads. The railroads should be sold to the government, and the country out of millions of dollars in profits.

THE NEW PAPER WAR. The News Agents and Newboys Refuse to Recognize the Change.

NEW YORK, September 27.—The news dealers, a factor hitherto unconsumed in the war of rates among the local newspapers, are beginning to move against the reduction in their profits. As the price of the various papers has dropped, their commissions have decreased. The dealer's commission, which before the epidemic set in ranged from 1/2 cent to 1 1/2 cents on each paper, now ranges from 1/4 cent to 1 cent. The most unsatisfactory feature of all is that outside the city, newsboys as well as dealers insist on selling all the papers at about the same price as before, and that neither newspaper proprietors nor their patrons get the slightest advantage on account of the drop in prices. Last night the east side news dealers held an indignation meeting, and sixty of them signed a pledge to sell at 18 to 20 cents per week the papers that have made the reduction. The west side will meet to-night. The strike against the reduced rates bids fair to spread. It is by no means impossible that the action of the middlemen may check the demoralization and then bring about a restoration of the old prices.

SUIT AGAINST THE MORNING JOURNAL. NEW YORK, September 27.—Charles S. Clark, paper man, has brought action against the Morning Journal association and Albert Pulitzer, F. F. Robbins and Robinson, directors, for accounting and receiver. The plaintiff alleges that the stock of the corporation has been misappropriated, large issues of it having been made to Albert Pulitzer without consideration.

THE COMING COMET.

THE WONDER OF THE HEAVENS SLOWLY UNVEILING ITSELF.

Popular Attention Drawn to the Movement of the "Brooks Comet," Which is Supposed to be the Comet of 1812—Goes About the Sun and Their Tails, Etc.

WASHINGTON, September 27.—The Brooks comet is attracting a vast deal of attention just now, outside of the interest which always centers in these mysterious wanderers of space, for it is conjectured by some astronomers that it is the famous comet of 1812, and it developed a very remarkable increase in brilliancy between the observations of last Friday and Saturday nights. A reporter called at the observatory, where Captain Sampson was found. "Sunday night," said that gentleman, "was the first time I observed it, and I also looked last night. I noticed on the first night that it was very much more brilliant than I had supposed it would be. Last night it was very much fainter at the first observation. This night, however, have been due to atmospheric conditions. Sunday night it appeared to be very yellow in color. This also might have been due to atmospheric conditions. Last night it was white, the usual hue of comets."

"Have you calculated its orbit yet?"

"No. We generally take these observations with a considerable interval between them before we get the elements for computation."

"As much as a week?"

"Well, yes; say a week."

"Then your two observations taken, one the night after the other, may be considered only one for purposes of computation?"

"No. In a week's time observations taken on two successive nights, in conjunction with those already taken, would be sufficient."

"It is said this is the famous comet of 1812. Do you find it so?"

"Before determining that question it's orbit must be calculated. If it is the same as that of 1812, it will be pronounced the same comet and its period would seem to be seventy-one years. It will not be visible to the naked eye for two months."

"Where is it?"

"In the constellation of the Dragon. It comes to the meridian about 8 o'clock. Its right ascension is 16 hours 25 minutes; its declination 69 degrees 20 minutes north."

"What is its shape?"

"Circular."

HOW TO LOCATE IT.

Right ascension is the distance of a heavenly body east from the first point of Aries, measured on the equinoctial. Declination is the distance of a heavenly body either north or south of the equinoctial, measured on a meridian. The equinoctial or ecliptic of the heavens is the great circle formed on the concave surface of the heavens by producing the plane of the earth's equator. Meridians are imaginary great circles drawn through the poles of the world, cutting the equator and the equinoctial at right angles. The Dragon is an immense and very irregular constellation, in shape something like a series of looped coils, to be found on a meridian. The constellation of Cassiopeia, the "Dipper" stars and the Pole star. It cannot fail to be noticed in the clear frosty nights of the fall and winter. It is in this constellation that the comet now appears. The comet is a small, round, cutting the equator and the equinoctial at right angles. The Dragon is an immense and very irregular constellation, in shape something like a series of looped coils, to be found on a meridian. The constellation of Cassiopeia, the "Dipper" stars and the Pole star. It cannot fail to be noticed in the clear frosty nights of the fall and winter. It is in this constellation that the comet now appears.

the diameter of the comet over 50,000 miles. It had a very luminous tail, whose great length was 100,000,000 miles. This comet moved in its perihelion with an inconceivable velocity, 1,500 times greater than that of a ball bursting from the mouth of a cannon. If the present comet is the great one of 1812 it will be a magnificent spectacle. If it possesses any density of moment, should it hit the earth while moving with such tremendous velocity our planet would be instantly reduced to an insupportable gas. Another strange thing about comets is that on their first observed visit to the solar system they put on a great deal of style; appearing sometimes with tails 100,000,000 miles long. With each recurring visit they get shorn of their glories more and more until at last they don't have any tail at all. One thought or speculation may not here be impertinent. Many able and wise men have thought the flaming comet and the blazing star which heralded our Saviour's birth made periodical visits to the earth. These savants have concluded that Tycho Brahe's star, which shone out at noonday with a brightness surpassing that of Venus at her greatest brilliancy, was the star of Bethlehem. According to these savants, its period is about 310 years, and it is due about this time. The speculation, of course, deals too much with imaginative hypothesis to be accepted by scientific men, even though they accept a more imaginative hypothesis still—that of the luminiferous ether.

THE DAY'S SPORTS. The Events on the Richmond Turf—The Brighton Race Meeting.

LOUISVILLE, September 27.—The first race, Louisville stakes for all ages, \$25 entrance, \$500 added, divided, mile heats, Gleason won the first heat, April Fool second, Freedom third, time 1:45. Second heat, Gleason won the second heat in 1:45, Gleason second, Freedom won the third heat in 1:45. The second race, purse \$300, divided, selling allowances, one and one eighth mile, McElwain won, time 1:30. The third race, Lexington stakes, two-year olds, one mile, Modesty won, Cora Baker second, Conkling third, time 1:47. The fourth race, purse \$250 for three-year olds, one and one eighth mile, Center won, Vanguard second, Olivette third, time 1:52. The fifth race, association purse \$300 for two-year olds, five furlongs, Boy Miles won. The Admiral second, Easter third, time 1:30.

BRIGHTON BEACH. NEW YORK, September 27.—First race, purse \$250, for two year olds, selling allowances, 3/4 mile, Ligon won, Bonito second, Pearless third, time 1:37. The second race, purse \$250, selling allowances, 1 mile and a furlong, G. H. won, Montank 2d, Harry Mann 3d, time 1:57. The third race, purse \$250, selling allowances, 1 1/2 miles, Arcane won, Blondie 2d, Electrifier 3d, time 1:57. The fourth race, purse \$250, for three year olds and upwards, 1 1/4 miles, Hilarity won, Ida B. 2d, Red Fox 3d, time 2:12. The fifth race, purse \$250, for all ages, 1 mile, Brad won, Little Katie 2d, Joe 3d, time 1:15.

THE NEWMARKET STAKES. LONDON, September 27.—At the Newmarket first of October meeting to-day, the race for the Grand National steeplechase, for three-year olds, was won by Hancock by one length, Ladulas 2d, Ken's Boater 3d, four starters. The Newmarket October handicap race was won by McMahon by ten lengths, Vista 2d, and Scobol 3d; five starters.

BASEBALL. St. Louis—St. Louis 6; Allegheny 2. Providence—Providence 2; Buffalo 4. Boston—Boston 4; Cleveland 1. Philadelphia—Chicago 3; Philadelphia 3. New York—Detroit 10; New York 2. Cincinnati—Metropolitan 3; Cincinnati 0. Louisville—Athletic 3; Eclipse 6. Columbus—Columbus 4; Baltimore 6.

MATRIMONIAL MIXTURE. Separation the Result to Your Recent Weddings.

PARIS, Ill., September 27.—The social "war" of this city are deeply stirred by recent occurrences, any one of which would be sufficient to cause a commotion, but all happening within a very short space of time have added much to the interest felt on all sides. Within a few months, perhaps a year or more, society has been on the qui vive because of four weddings in the upper classes. The last ten days have witnessed the separation of the four couples, the gentlemen returning to the solace of their former homes, the ladies to the protection of their former homes.

One of the couples acted prudently and are now living together and trying to forget that ever a ripple of disagreement marred their honeymoon, which was all that abundant means could make it. The other three are still at outs, and the breach seems to be growing wider rather than lessening. Gossip has as yet had but little to do with one of the three, and the cause is not generally known. The other two are singular in that the husbands quite publicly avow jealousy the moving cause. In both cases public sentiment is almost unanimous that there is no ground for a suspicion of wrong doing even in thought on the part of the wives. The parties are all highly connected, and to publish their names would unnecessarily wound the feelings of a very large circle of innocent and ready suffering relatives. What the end will be does not yet appear, but evidently there is "music in the air."

THE MACON NOIR BOOK. The Tanky Case Postponed—The Federal Court-Special to The Constitution.

MACON, September 27.—The case of the state vs. Charles Tanky was called for commitment trial this morning, and was postponed to Monday next on account of the absence of the defendant's counsel, being absent from the city.

The case of the Davis boys, Calvin and Richard, charged with murder, was also called, and after a hearing they were bound over in the sum of \$2,000 each to appear at the October term of the superior court for manslaughter.

Judge Locke will hold United States circuit and district court Monday next in this city. The session will be an interesting one.

The cotton market to-day is unchanged, the staple is steady and in demand at quotations of yesterday's 9 1/2 cents. The receipts to-day have been 691 bales.

Blaze in Savannah. Special to The Constitution.

SAVANNAH, Ga., September 27.—At nine o'clock to-night a fire broke out in the large grocery and liquor store of M. J. Doyle, opposite the market, with immense stock, occupying four floors. A disastrous conflagration followed. The entire interior is in flames and the best fireman can do is to save the adjoining property. The stock is valued at \$50,000, upon which there is insurance. The building is owned by the estate of the Warrings.

Sound About Athens. Special to The Constitution.

ATHENS, September 27.—Cohen's fall opening was a grand affair. The whole town turned out to see it.

All the conductors on the Northeastern road have been garrotted. A negro killed a cross between a gray and white rabbit near Athens.

A negro in Banks county had his head smashed with a shotgun.

Captain C. G. Talmage is spoken of for our next senator.

GEORGIA BY WIRE.

THE HAPPENINGS OF THE OUTLYING TOWNS NOTED.

A Sad Accident—The Crop Prospects—Death of a Stranger—A Striking Phenomenon—A Child's Death—Chapel Burial—The Fatal Chills—Other News.

Special to The Constitution.

SAVANNAH, September 27.—Within the past three days three parties have been bitten by vicious dogs, one a carrier for the Times, very seriously.

Waynesboro, Georgia.

THE FATAL CHILLS.

Waynesboro, September 27.—After an extremely and extraordinarily healthy summer, we are now beginning to have the "fall" chills and fevers. The most of our citizens who generally spend their summers north or at some watering place have returned, I fear, to reap a harvest of the scourges which they intended to avoid by absenting themselves earlier in the season.

Chattanooga, Tennessee.

THEIR ARREST.

Chattanooga, September 27.—Charles Harris, one of the negroes who robbed Joseph Justice in Prior Burnett's saloon Tuesday night has been arrested. He was before the recorder's court and the trial continued till Saturday.

There was some frost in this morning, but little damage, if any was done. The celebrated Thomas case has been again continued. It is said Thomas is in Europe.

Thomas, Georgia.

A CRUEL DEED.

Thomas, September 27.—News has reached here of a sad accident that happened a few days ago to a little son of Mr. A. J. Yates of this county. He became entangled in some gear of a mill and was instantly killed, his body being badly mangled. The little boy was only nine years of age.

Colonels J. A. Hunt and A. A. Murphy, of Barnesville, and C. A. Turner, of Forsyth, were in town yesterday. Dr. George Hanthorn is erecting a two room store on Front street.

Lee County, Georgia.

A CRUEL DEATH.

Lee County, September 27.—The little five-year-old daughter of Mr. H. C. Mitchell, of Lee county, who was accidentally shot yesterday, died before Dr. Bacon could reach her. She was shot through the stomach with a full charge of No. 4 shot, tearing out a portion of the intestines, and yet strange to say, she lived and remained conscious two or three hours after. In her agony she would beg for water, which, when given her, would run out through the orifice made by the wound.

Worth County, Georgia.

A CRUEL DEED.

Worth County, September 27.—The two parties charged as principal and accessory with the stabbing of Mr. Boatright at Acree, in Worth county, last week, Gus Cato and Buck Smith, have both given satisfactory bonds to appear at the next term of the superior court, which convenes on the fourth Monday in October next. It is rumored also that parties are on the trail of Allen Ford, colored, who killed J. W. Calhoun in Worth county several days ago, and that the chances for his capture are good.

Racer County, Georgia.

THE CROP PROSPECT.

Racer County, September 27.—One of our prominent warehousemen took a trip down into Baker last week, and his report of the crop condition and prospects in that county, if anything, lays that of your correspondent about west Dougherty's crop, wired you a few days ago, into the shade. All the side crops, such as peas, groundpeas, sugar cane, sweet corn, etc., appeared to have shared the fate of the cotton crop, and were but little short of a complete failure. The corn crop, as elsewhere, however, had turned out well. Albany merchants are looking somewhat blue over the situation, and beginning to wonder where the money will come from to reduce their plethoric stocks of fall and winter goods.

Rome, Georgia.

BICYCLE RACES.

Rome, September 27.—The city authorities have decided that bicycles are nuisances, and have ordered them off the streets. The wheelmen claim them to be vehicles entitled to the roadway, and will test the matter before the courts. There will be held in this city on the 10th of October the grandest bicycle race ever held in the country. On that day the free bridge question will be decided. Over one hundred carcasses will be served to all who come to town.

Mrs. John B. Jenkins, of Desota, died last night.

Lawrenceville, Georgia.

THE STATE AND COUNTY TAX.

Lawrenceville, September 27.—Yesterday the county commissioners met pursuant to appointment to levy the county and state tax and to consider the recommendation of the last grand jury in reference to assessing an extra tax for the purpose of building a new courthouse. They agreed to levy one-tenth of one per cent. The board virtually said, we will take our own time about the matter.

The only child of Mr. J. C. Smith died Tuesday afternoon and was buried yesterday.

Cotton is being ginned and sold very rapidly this fall. If the weather remains as it is for three weeks it will all be gathered and sold, and the season notes due November 1st will stand unpaid.

Warrenton, Georgia.

SWEETPEA CHANGE.

Warrenton, September 27.—Rev. John Shivers, for long the proprietor and editor of the Clipper, sold out yesterday on account of failing health to Mr. Davis, a young lawyer of this place and I think Mr. Partillo of Sparta. Mr. Shivers' health is so far gone with that dread disease consumption, as to refuse all visitors. Mrs. Raley, a respected octogenarian and mother of our town marshal, passed away from this life early yesterday morning.

Hon. R. T. Barksdale left yesterday morning for Anniston and Talladega after a week's visit to his family. His little daughter Clarice gave an entertainment (which was a recherche affair) yesterday to her little friends, in honor of her fifth birthday, and was the recipient of several nice presents.

The thieves have made several raids on some of our citizens.

Cotton is rapidly coming in.

Hogansville, Georgia.

DEATH OF A STRANGER.

Hogansville, September 27.—A stranger died in Hogansville last Saturday and was buried on Sunday. He is supposed to have been named Holmes, as several envelopes were found on his person addressed to John Holmes, from Sheffield, England, some at New York, some at Augusta, Ga., and Atlanta. He was found to be sick and unable to care for himself by the marshal, Mr. Cope-

land, and in an unconscious state; had only fifty cents in money and a few one-cent postage stamps, but was comfortable as possible by Mr. Cope land, who rented a room and had the man waited upon and nursed day and night until he died. Dr. R. H. Jenkins and one of the best and most skilled physicians was by the side of Holmes until death put an end to his sufferings. The doctor pronounced his disease fever, together with general debility. It seems that deceased landed in New York about March last, from Europe and since then had wandered this far to die.

Misses Sharp and Knott of West Point are visiting at Hogansville, the guests of Miss Vance Jones.

Quite a pleasant social was given at Colonel J. C. Smith's last night, which drew out a large number of young people. No rain yet to benefit fall crops, or damage the open cotton, which will all be gathered at least one month this year ahead of ordinary.

Calhoun, Georgia.

DEATH OF FINIS NEAL.

Calhoun, September 27.—Mr. Finis Neal, the young man shot by Smith something near three weeks ago, died this morning at 3 o'clock. He lived far beyond the expectations of his family and many friends, who have expected his death hourly since he received the wound. Smith's New York mob will now be held under a charge of murder instead, as he has been, of the charge of shooting at another.

Cotton is being brought in rapidly; several bales on the streets this morning. Buyers here propose to pay Rome prices, less the freight, which is \$1.25 per bale; but in the face of this, some farmers will go on to Rome any way, thinking that they can do better there.

The Calhoun hotel will be occupied by Mr. Pat Haynes, of Rome, Ga., after the 1st of October next, Squire J. D. Tinsley retiring. Calhoun has another dry goods establishment under the firm name of Ferguson and Robinson. All the merchants are opening heavy stocks of winter goods, and indications point to fierce competition for the trade this fall.

GETTING THE GALLONS READY. Sheriff Taylor received yesterday a model of the gallows upon which Gus Johnson was executed some three years ago at Rome, Ga. It was made and sent him by a man named Rogers, of near Plainville, Ga., who saw Johnson hanged. The gallows upon which Margaret Harris will be executed will be fashioned after this model.

Albany, Georgia.

DOUGHERTY COURT.

Albany, September 27.—The fall term of the superior court convenes here on Monday next. The return of new cases for this session of the court is a remarkably light one, as it has been in fact for several preceding terms. If the accumulated rubbish of past years were once cleared from the dock, the future sessions of our superior court would be brief.

A STRIKING PHENOMENON.

A somewhat novel, but to say startling, cloud phenomenon was witnessed by early risers here this morning. About twenty minutes to seven o'clock a large, long, shaped, low, black cloud made its appearance in the eastern horizon, moving rapidly in a southeasterly direction from the northwest, and requiring only a few minutes to pass entirely out of sight. As it passed across the early sun's disc, the sudden darkening occasioned by it, was very noticeable as well as a sudden movement of the air around in the direction of the cloud. Only a very few minutes, less than five in all, were allowed for observation before it was out of sight. It was surmised to be an aerial cyclone on the wing, and looking out for a place to alight, and may be heard from further yet. It was the more conspicuously noticeable here from the fact that the horizon was perfectly clear and unobscured by any other clouds at the time of its passage.

CHURCH BURGLARIZED.

The Catholic church in this city was burglarized one day or night last week and some of its sacred vessels, and the church by Mr. H. J. Cook, of Albany, were stolen therefrom. The theft was discovered Saturday morning by some ladies of the church who were preparing it for Sunday services.

COLONEL NELSON TIFT.

Colonel Nelson Tift is convalescing. Considerable bilious fever and chills are prevalent about the city, and he has had an occasional case of the hemorrhagic fever.

President W. G. Raoul, of the Central railroad, has been in the city since Saturday last. Tift's bridge is undergoing thorough repair, preliminary to its being turned over as a free bridge to the county. Price \$30,000.

THE RIVER RISING.

The Flint river, which was at its lowest stage last week, has risen some two inches or more within the past day or two, indicating heavy rains up the country.

BOOMING BIRMINGHAM.

\$1,000,000 Increase of Assessed Values in One Year—The Taxes for '83.

From the Birmingham Age.

City Treasurer B. A. Thompson has just finished his footings of property assessments for the city of Birmingham for the year 1883. These figures are as follows: Real estate, \$1,920,001; personalty, \$376,056; estimated merchants' stocks, \$400,000. Total, \$2,696,057. These aggregates show the wonderful gain over last year's assessments of \$1,128 in real estate, and \$196,657 in personal property, making, with \$100,000 approximate increase in merchants' stocks, a total of \$882,813. A comparison of this with last year's total, \$1,713,242 shows that Birmingham in one year gained over 57 per cent in assessed values. The above figures do not include the estimated returns for this year, of \$13,000, from privilege licenses a gain of some \$8,000 over last year; so that adding only a very probable thousand to the estimated gain of \$100,000 in merchants' stock, the year's increase reaches one million dollars. The gain in the real estate assessment includes of course only the advances in value and improvements; whereas the increase in the personal property, \$376,056, may be regarded as reflecting the increase in population. If it be considered, then, that most of the movers to Birmingham have been of a class that pay no great amount of personal effects with them, it becomes evident that the recent census is decidedly a modest count of the city's population.

CONVICTS AT LARGE.

Two of the Pratt Mines Gang Escaped Through a Water Vent.

From the Birmingham Age.

A number of miners were in town last night in pursuit of two convicts who escaped yesterday afternoon from Pratt No. 3, of the Pratt company's mines, situated about two miles south of Coahburn and three miles northeast of Pratt Mines town. One of the guards discovered at quitting time that two of the men were missing, and upon investigation it was found that they had escaped through a bradish of a water vent in the side of the mountain. The alarm was given at once, and soon parties from all the adjacent mining camps were in pursuit. The bounds were set on the trail, and the party who came to Birmingham scoured the country in the direction of the mines for several miles out, but to no purpose. One of them fired three shots at a man supposed to be one of the fugitives, but without bringing him to a halt. The names of the men who escaped are said to be Tom Johnson and Giles Gentey. Both are colored. Johnson is described as dark, though not black, in color, five feet four inches tall, twenty-five years old, clean shaven and wearing a gray woolen shirt and new brown overalls. No particulars were given by the party in town concerning Gentey, either as to his person or his crime. Johnson was for six years from Rosseton county, and had worked out about a third of his time.

GEORGIA GOSSIP.

SHORT TALKS WITH THE SCRIBES OF THE COUNTY PRESS.

Dead in the Potato Patch—A Crazy Citizen Squelched—Hunting Negro Brutal in Sumter County—The Death of the Justice of the Peace—Cutting Affray in Cobb County.

Jephtha Davis, of Coweta, is dead.

The Monroe Advertiser comes out again on the half shell.

The Advertiser says the cotton crop in Forsyth county will be decidedly short.

Ex-Senator Casey, of Columbia county, is dangerously ill, and is not expected to recover.

Drayton, in Dooly county, came very near having a serious conflagration, in which a large quantity of cotton in store would have been destroyed.

Miss Grace Hancock, daughter of Colonel C. W. Hancock of the American Republicans, has been dangerously ill, but is now said to be convalescent.

Colonel Jack Brown is spending a few days in Americus, which place he finds much more pleasant than Washington since Gresham has become in length from 20 to 24 inches.

T. J. Lane, of Americus, killed thirty-five squirrels near Flint river. He says that they are so plentiful that he killed two of them at one shot. He says that they are now fat and juicy and in good condition for the table.

On last Saturday an altercation occurred between a white man named Holcomb and a negro named Joe Forehand, in Cobb county, which resulted in the negro receiving several knife cuts, none of them considered dangerous.

Mr. Green A. Cox was found dead in his potato patch on the 15th instant near Piton, Berrien county. Mr. Cox moved from Dooly to Berrien a year or two ago. Thirty-seven years ago he was stricken with a disease of an apoplectic character from which he never recovered. It seems that he had gone out in the field to feed his hogs and died there alone.

Dooly Vindicator: Mr. Riley Bailey, a citizen living in the lower portion of this county, arrived in Vienna about an hour before day a few mornings since without a particle of shirt or coat on his back, and dressed badly torn. He woke up some of our citizens and it was discovered that he was crazy, but before he could be captured he took to a swamp and has not been seen since. He is under the impression that a squad of men are after him with guns.

The Hawkinsville News thus delicately tells the news: "On Sunday last at the residence of the groom, in this county, Mr. George W. Nobles was married to Miss Ella Bullington, daughter of Rev. G. B. Bullington, of Allegheny county. The ceremony was performed by R. E. Reynolds, J. P. The parents of the bride were absent from home at the time of the marriage."

The Irwinton Southerner hits a live subject, when it writes: "Julian Todd got badly left at an entertainment given last week at the church. He ran half a mile for an umbrella to take a young lady home but she preferred going home with her papa, who was sitting under his escort. You are perfectly right, young lady, if the young men can't go and take you for home, then don't accept their escort back home."

On Monday afternoon, about six o'clock, near the brickyard of Henry Jeter, in Hawkinsville, two negroes, named Allen Lewis and Berry Bird—laborers at the brickyard—in order to prove which of the two was the stronger man, began to wrestle with each other. Finally a dispute arose, and after some pretty rough words, Berry Bird struck Allen Lewis with a brick, just above the forehead with a bed nail, which was near at hand. The blow fractured the skull of Berry, who died at three o'clock Tuesday morning. No one saw Allen when he struck the blow, but one or two witnesses say that they heard it.

Americus Republican: A negro woman on the west side of this city lost an infant a few days ago and the child was uncared for thirty-six hours after its death, the negroes refusing to give any assistance, and had it not been for the kindness of a white lady in that portion of the city the child would have been most shamefully neglected. As the negroes refused to take care of the body, a white hands did so, the negroes refusing to take the child to be buried, and even then the black hands refused to dig the grave. Then the body was buried in a shallow hole in the city and buried at the public expense.

Savannah Times: Three negroes went into a barroom in the western part of the city last evening and wanted a drink. Two of them were pretty drunk and behaved rudely. A white man, a mechanic, was in the barroom at the time and saw the negroes. He left his unfinished glass of beer and was going out when one of the negroes, a burly fellow, stopped and wanted him to treat. He tried to pass on without saying anything, but the fellow, who was foolishly drunk, caught him. The mechanic then whipped out a billy and dealt the negro a blow, felling him like a log, and then passed out while one of the prostrate man's friends pulled out a revolver and pursued him beyond the door. He was prevented, however, from using it by the presence of several gentlemen outside. The negro was billed for his insolence with a very sore head for a week.

The Sumter Republican says that the notorious Henry Newsome, the negro desperado who was sentenced to the penitentiary for ten years, at the last fall term of Macon superior court, and who escaped from the chainage, came time last April, was recaptured out at Clay Bay's place on Monday and brought to the city by Mr. Rouse. Newsome had returned to his old haunts, and became a terror to the neighborhood. He has been shot at three or four times, and escaped unhurt every time, and the negroes thought he had a charmed life. He hired himself as a hand to work the road as a substitute for another, and was betrayed and delivered up by two other hands, for five dollars each. A reward of fifty or seventy dollars was offered for his recapture. Newsome is now in jail awaiting a guard to return him to his keepers.

A Good One on a Minister.

From the Columbus Sun.

Yesterday a minister of the gospel, in company with another gentleman was sitting near the front of grocery store. A old negro from the country drove up and, seated from his wagon, went into the store. In a few minutes he walked out with a flask of vinegar in his hand.

The gentleman remarked, "Well, old man, you've had it filled?"

"Yes, sir," replied the old man, "but it is nothing but vinegar."

"Ah," said the minister, "I've seen that trick played before," intimating that the flask contained whisky.

"It has been twenty-five years since that thing hurt me, boss; how long has it been since it hurt you?" asked the old darkey.

The minister is comparatively a young man, and he thought it best to make no reply.

Hancock on Educated Negroes.

From the Sumter Republican.

Wesley Allen, alias Wesley Lewis, a negro boy, who last year stole a cotton receipt from Colonel A. S. Cutts, and attempted to draw money out of the bank of J. W. Wheatley & Co., is now in the county jail under three separate charges. One for stealing a hat, another for getting goods under false representations and the other for being a vagrant. Wesley has had some little schooling at public expense, and it develops the meanness that is in the negro. Educated negroes are the meanest people under the sun, and the more book sense you give them, that much more devil is developed. The best education you can give a negro is what can be learned between the plow handles

and with a hoe in his hands. They can't forge orders, nor write insulting letters to pure minded white girls with such an education.

Terrible Death.

From the Barnesville Gazette.

We learn that Mr. A. J. Yates' little son, ten or eleven years old, came to a horrible death last Monday morning. He was up in the ginhouse while the machinery was at work, and in some way, we have not learned how, was caught in the hand wheel. His body was thrown literally to pieces—the head being torn from the neck, the arms from the body, and the legs likewise, and the body even torn asunder. We learn that on the same day Mr. Zack Williams, of this county, came near losing his life in the same way at McCord's gin, near Martin's mill. Every shred of clothing was stripped from his body, and the body badly lacerated and lacerated so he may yet die from the wounds.

A Carroll County Snake.

Champion in Carroll County Times.

On the 15th instant, Mr. Beard and Joseph Stamps, living on Buck creek near Wyatt's bridge, killed a very large cotton-mouth moccasin, estimated to be between three and four feet long. When it was struck with an axe it disgorged thirty-five young cotton-mouths ranging in length from 10 to 24 inches.

As soon as they appeared on the field of action they assumed a hostile attitude, striking ambitiously at whatever was presented to them. Joe says that when they were all killed it was the biggest pile of snakes he ever saw.

The Way to Build Up.

From the Calhoun Advertiser.

The citizens of Sugar Valley are erecting a large and commodious academy, at a cost of some twelve or fifteen hundred dollars, and intend having a first-class school. That is the way to build up your section—give your children the advantage of a good school at home, and send them to it. Do not wait for your neighbors to build, but go to work yourselves, and let every section have the greatest of all blessings. We hope that other sections of the county will follow the example Sugar Valley has set them.

Buried Himself.

From the Dooly Vindicator.

Mr. E. B. Pate, an old gentleman residing near Pateville, in this county, informs us that just after the Harrison frost in 1815 he died covered that a large bull which had been roaming through the forest for many years had completely buried himself in the earth, leaving only one horn above the earth to serve as a headstone to mark his last resting place. The ground was saturated with water, and the beast got into the mire, and in his efforts to extricate himself sank lower and lower until he was buried and died. Mr. Pate says the horns and the trunk of the tree, the fact are there now, and he can show them.

A Fastidious Chicken.

From the Dooly Vindicator.

Mrs. C. E. Everett has a chicken that threatens to become a rival of Dr. Tanner. On Sunday morning, the 16th inst., it fell into the well and Frida while the well was being cleaned out the chicken was found sitting on a raft of wood floating from the side of the well in a contented mood. The chicken was without food the whole time. How it got out of the water up on the scantling before drowning is not understood.

A Possessum Hunter.

From the Athens Banner.

Phillip Oliver, colored, yesterday brought evidence to market that he was a slave on the 4th of July last and raised to frying size. He asked five dollars for the lot.

A Literary Man Went West.

The limestone water of Otto disordered his bowels and laid him on a bed of sickness with horrible cramps. For three days and nights he was wretched. Then he said "why didn't I think of PERRY DAVIS'S PAIN KILLER?" He sent for it and experienced such prompt and thorough relief that he said he was a fool for not getting it at first.

The leaf beetle is not cousin to the potato bug. But his respectability won't save him.

Horsford's Acid Phosphate.

BEWARE OF IMITATIONS.

Imitations and counterfeits have again appeared. Be sure that the word "Horsford's" is on the wrapper. None genuine without it. Oscar Wilde wishes he had produced his play in Europe.

Decline of Man.

Nervous Weakness, Dyspepsia, Impotence, Sexual Debility, cured by Dr. H. H. Health Renewer.

Burnett's Cocoaine.

Promotes a Vigorous and Healthy Growth of the Hair. It has been used in thousands of cases where the hair was coming out, and has never failed to restore it to its natural growth. Use Burnett's Flavoring Extracts—the best.

Cold water should be thrown on all projected Arctic expeditions.

"My child is rosy cheeked and cheery; SAM ARITAN NERVE DID." Mrs. Wm. Schupelberg, Nichols, Iowa. \$1.50 at Druggists.

A Chicago swain calls his sweetheart's leather belt "an angel band."

Ten drops of Angostura Bitters impart a delicious flavor to all cold drinks and prevent all Summer diseases. Try it and you will never be without it. Get the world-renowned Angostura, manufactured only by

J. B. R. SIEGERT & SONS.

11 August should get the prize as the best behaved man in the year.

Smith's Extract of May Flower is no vile Deception of Nauseous drugs and dangerous Chemicals. It is nature's own remedy, and can be given to the smallest children with good results.

Publishers' Notice. The pamphlet entitled of the supreme court of Georgia for February term, 1883, is now ready. For sale at the business office of THE CONSTITUTION. Parties have been ordered will receive the copies or could be sent.

ADMINISTRATOR'S SALE.

GEORGIA, FULTON COUNTY—WILL BE sold before the courthouse door of said county on the first Tuesday in November next, to-wit: the 27th day of November, 1883, all the undivided half interest in that city lot No. 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407

THE SUPREME COURT.

DECISIONS RENDERED TUESDAY, SEPTEMBER 25, 1883.

Hon. James Jackson, Chief Justice; Hon. Samuel Hall and M. H. Blanford, Associate Justices; Hon. J. H. Lumpkin, Supreme Court Reporter.

Mize, Sheriff vs. Blalock. Certiorari, from Sumner County Court. Officers, Solicitor General Costs. Res Adjudicata.

Jackson, C. J.—Where one has been appointed solicitor pro tem. of the county court, performs the work and has been obtained an order of court allowing him fees, he may rule the sheriff for money collected in fines and forfeitures in the county court.

2. Where a rule absolute was obtained at one term of court against the sheriff, and at the next term an attachment was issued against him, he could not in answer thereto put in the same grounds which were decided against him before the rule was made absolute. Non est. Appeal allowed.

Guerry & Sons, J. L. Albrington, for plaintiff in error.

Hinton & Mathews: J. L. Blalock, in propria persona, for defendant.

Sellers vs. Cheney, administrator. Ejectment, from Schley. Administrators and Executors. Ejectment. Estoppel. Justice Courts. Judgments. Nullities.

[Blanford, J., did not preside in this case.]

Jackson, C. J.—When a defendant in an action of complaint for land puts in his defense, the law and rule of court require him to admit possession.

2. Section 2436 of the Code applies only to suits by an administrator against heirs, or those holding under them; not to a suit by a stranger.

3. That an administrator stood by and saw property of the intestate sold under a void sale, will not estop the administrator de bonis non who succeeded her from attacking the validity of the sale. 57 Ga., 425.

(a) Code 2266; 49 Ga., 171 are not applicable.

4. A constable who served a summons, and a justice of the peace succeeding the one who issued it in that office, may prove and identify it; the justice who issued it need not be called. The constable who served the summons certainly knew as much about it as the justice who issued it for service.

5. Where a summons in a justice court based on a claim for more than fifty dollars was issued in 1876 and called upon the defendant to appear within less than twenty days, the judgment rendered thereon was void, and the sale made thereunder void.

6. In complaint for land, where plaintiff and defendant both hold under a common grantor, the title in him need not be proved. 54 Ga., 689; 55 Id., 613.

7. The verdict is right.

Judgment affirmed.

B. Hinton, for plaintiff in error.

B. P. Hollis, for defendant.

Forrester, administrator, vs. Vason et ux. Equity, from Dougherty. Guardian and Ward.

Jackson, C. J.—Suit was brought on a guardian's bond against the legal representative of the surety thereon, the breach alleged being a failure of the guardian to pay a certain amount alleged to have been recovered against him on a bill for an account, the decree being described and its date given in the declaration. The case was referred to an auditor.

The decree described in the declaration was not offered in evidence, but another decree was offered and admitted over objection. This decree was based on a bill filed by the guardian against his creditors to require them to come in and interplead for the settlement of the parties of their respective claims on the proceeds of the sale of the debtor's property. This case was referred to an auditor, and on his report a decree was rendered sustaining the objections to the priority of the ward's claim, and ordering that the amount which the auditor had reported, be paid out of the fund as other simple contract creditors.

Held, that the admission of such decree in evidence was error. It was not the decree set out in the declaration, nor a general judgment. It was merely a decree in a contest between creditors as to the distribution of the proceeds of the sale of the debtor's property.

2. There must be a binding judgment against a guardian generally, and not on a particular fund, before his ward, who claims that he has committed a breach of his bond, can sue the surety thereon, and the guardian be joined in the action, or is without the jurisdiction, or has placed himself in the position of a debtor liable to attachment, or is dead and his estate is unrepresented.

Under the law prior to the act of 1878, it was necessary that judgment should be obtained against the guardian in some court before the sureties could be held liable. Nor does 2189 of the Code or other law dispense with this necessity.

(a) In the present case the legal representative of the surety is sued alone; the principal is neither joined with him nor is any general judgment or decree shown against such principal. 49 Ga., 303; 7 Id., 31.

Judgment reversed.

R. F. Lyon, D. H. Pope, for plaintiff in error.

G. J. Wright, for defendants.

Wheaton vs. Ansley. Foreclosure of mortgage, from Leon County Court. Debtor and Creditor. Charge of Court. Practice in Superior Court.

Jackson, C. J.—Where an agent of a guaranty company had collected money for them, and failed to return it, and another agent of the company demanded the amount, and threatened a prosecution unless it was secured, and a mortgage was given to secure the amount.

Held, that if the mortgage was given to settle or suppress the criminal prosecution, it could not be collected. If given not for such purpose, but to secure what the defaulting agent owed his principal, it could be collected. 55 Ga., 990; 48 Id., 301; 39 Id., 85; 50 Id., 135; 52 Id., 154; Code 2236; 305.

(a) The defendant in this case testified that he gave the mortgage under fear of threatened prosecution and this was not directly controverted. The defendant also testified that he did not owe the amount, but that it was due him as commissions.

2. When a plea is amended in substance, a party who is surprised thereby may continue the case and charge the continuance to the other party who made the amendment. As a principle of law, such a amendment would be properly in court, and its being filed at the trial term when it might have been filed at the previous term, is not, ordinarily, a prejudice to the defendant's case, especially where no motion is made to continue. In the present case, however, the time when the agent made the threat to prosecute the defendant does not appear, it was not until after the date of the filing of the mortgage as to show that defendant was not acting under fear of such prosecution; and in that connection the jury might consider the delay in filing this defense as tending to show that it was an afterthought. It was therefore error to hold that the date of the filing had nothing to do with the case.

Judgment reversed.

J. Dodson, Hinton & Mathews, for plaintiff in error.

E. G. Simmons, for defendant.

Brady, guardian, vs. Brady. Illegality, from Sumner.

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in Superior Court. Claim. United States Courts.

Hall, J.—It is no longer an open question in this court that where an exemption has been granted by a judge or register in bankruptcy out of lands subject to a mortgage lien, such exemption is no more subject to levy and sale than if it had been set apart by the ordinary having jurisdiction thereof. 65 Ga., 621.

(a) Although the lots set apart were correctly set out in the schedule attached to the bankrupt's petition, and were in another schedule attached to the same petition, and an exemption, yet lots of a different number from those so set out were set apart as such exemption by the assignee. It is clear that this was a mistake on the part of the assignee, and could not go outside of the proceedings to set apart property with which neither he nor the bankrupt had anything to do. After the final discharge, this error was corrected by an order and judgment of the district court in the United States.

2. Where a debtor has gone into bankruptcy, and creditors have been notified, upon the appointment of an assignee, he becomes the representative not only of the bankrupt, but of his creditors. No proceeding pending the bankruptcy to reach any portion of the effects of the bankrupt could be prosecuted except in his name. The bankrupt court has jurisdiction to collect all the assets of the bankrupt, to ascertain and liquidate the liens and other specific claims thereon, to adjust the various priorities and conflicting interests of all parties, to marshal and dispose of the different funds and assets as to secure the rights of all parties, and to distribute the assets among all the creditors; to perform all acts, matters and things to be done under and by virtue of the bankruptcy until the final distribution of the assets of the estate is made, and the close of the proceedings in bankruptcy.

The bankrupt court has exclusive jurisdiction of all matters and proceedings in bankruptcy, and a final discharge can only be made and set aside in the court granting it. 71 Ga., 8, 20; Rev. Stat., U. S., 4072, 5120, 7141; Act June 22, 1874 (18 Stat., 178); 59 Ga., 403.

(b) Every court, whether it exercises exclusive or concurrent jurisdiction, is vested with inherent powers to control and amend its records, judgments and processes, and to correct errors and mistakes in them. When, therefore, an assignee had made a mistake in making the lots set apart, and the court to the bankrupt, the bankrupt court only had power to relieve such bankrupt against whom the mistake was made by making the record conform to what really transpired in the proceedings, and this could be done, though the bankrupt had been discharged, the estate not having been wound up or the assignee discharged.

(c) It must be presumed in favor of the court in action, and the court is to be presumed to have followed its rule of practice and procedure required. Its judgments must be held as conclusive as those of other courts as to matters within its jurisdiction, and are as little liable to collateral attacks.

(d) We do not decide how far such claims as that of plaintiff, if not proved in the bankruptcy court, are barred by the final discharge; because the facts do not require it. The discharge was granted by the court, and the estate not having been wound up or the assignee discharged.

(e) It must be presumed in favor of the court in action, and the court is to be presumed to have followed its rule of practice and procedure required. Its judgments must be held as conclusive as those of other courts as to matters within its jurisdiction, and are as little liable to collateral attacks.

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Walker vs. State. Assault with intent to murder, from Dougherty. Criminal Law. Charge of Court. New Trial.

Hall, J.—The evidence in this case not only authorizes but requires the verdict.

2. The principles were correctly given and fully and impartially applied to the facts and circumstances in evidence. Every right of the defense was carefully guarded, and the verdict was not contrary to the evidence.

3. The indictment being for assault with intent to murder, and the judge having fully instructed the jury under what circumstances they might find the defendant guilty of the crime charged, or of shooting at another, or of assault and battery, or of assault simply, there was no error in instructing the jury as to the form of their verdict in case they should find the defendant was guilty of assault and battery.

4. There was sufficient evidence to justify the conclusion that the pistol used in this case was loaded with powder and ball.

5. The credibility of witnesses is a question for the jury. If evidence be admitted without objection, it forms no valid ground for new trial.

Judgment affirmed.

W. T. Jones, by G. J. Wright, for plaintiff in error.

J. W. Walters, solicitor general, for the State.

Blance and McGarough vs. Mize.</

